

FILED

SEP 29 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00659-DLJ (DMR)
)	
Plaintiff,)	
)	DETENTION ORDER
v.)	
)	
)	
CORNELL WILLIAM MAXEY,)	
)	
)	
Defendant.)	

I. DETENTION ORDER

Defendant Cornell William Maxey, Jr. is charged in a one-count indictment with violation of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm and ammunition). The United States moved for Mr. Maxey's detention and asked for a detention hearing as permitted by 18 U.S.C. § 3142(f)(1). Pretrial Services prepared a criminal history report, which the Court reviewed. It appears that Defendant currently is subject to a state parole hold. On September 29, 2010, Defendant submitted to detention, but reserved the right to present additional information at a later date should Defendant's circumstances change.

After considering the limited information currently available to the Court, and the factors

DETENTION ORDER
CR 10-00659-DLJ (DMR)

1 set forth in 18 U.S.C. § 3142(g), the Court detains Mr. Maxey and finds that no condition or
2 combination of conditions will reasonably mitigate the serious risk of flight or the danger that
3 Defendant poses to the community. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v.*
4 *Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985).

5 Specifically, considering the factors in 18 U.S.C. § 3142(g), the Court notes that Mr.
6 Maxey's criminal history includes several felony convictions, including a narcotics and a gun-
7 related conviction, as well as a significant history of probation and parole revocations.

8 II. CONCLUSION

9 The Court detains Mr. Maxey as a serious flight risk as well as a danger to the
10 community. Because Mr. Maxey waived his right to present information under 18 U.S.C. §
11 3142(f) without prejudice to raising relevant information at a later hearing, the Court orders that
12 the hearing may be reopened at Mr. Maxey's request at a future time.

13 Mr. Maxey shall remain committed to the custody of the Attorney General.

14 IT IS SO ORDERED.

15
16
17 DATED: September 29, 2010



DONNA M. RYU
United States Magistrate Judge